

Official Proceedings

April 7, 2009

8:00 am

Chairman Duane Wolf called the meeting of the Stark County Board of Commissioners to order. All members present.

Chairman Wolf asked for any additions or deletions to the agenda. Comm. Hoff added zoning. Tom Henning, States Attorney, deleted GTL Road Agreement. Comm. Hoff moved to accept the agenda with the addition and deletion. Comm. Kuntz seconded. All voted Aye and the motion carried.

Comm. Elkin moved to approve the minutes from the March 5, 2009, meeting as presented. Comm. Kuntz seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Zander moved to approve the accounts payable and supplement as presented. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried.

General: Payroll: \$125,367.50; Institute of Local Govt: \$200.00; Dakota Community Bank: \$59.00; Meritcare Medical Group: \$100.00; US Bankruptcy Court: \$15.00; SBAND: \$85.00; Matthew Bender: \$53.20; West Payment Center: \$525.66; Dakota Water Treatment: \$36.50; SBM Inc: \$577.71; Bismarck Ramkota: \$55.00; ND Recorder's Association: \$50.00; B & M Security Inc: \$16.50; Braun Distributing: \$201.00; Dacotah Paper Co: \$204.11; DJ's Tesoro: \$52.96; Jerome Distributing: \$48.15; Newby's Ace Hardware: \$88.29; Runnings Supply: \$27.97; City of Dickinson: \$7,744.34; MDU: \$3,609.41; Roughrider Electric: \$266.00; Visa: \$309.47; Walmart: \$199.24; NDPers: \$13,393.38; Hardy, Maus & Nordsvan: \$688.50; Stutsman County: \$105.00; Farmers Union Oil of Bis/Man: \$1,161.35; Tesoro Fleet Services: \$853.67; Gary's Painting & Lawn Care: \$240.00; Alltel: \$735.20; Qwest Corp: \$487.00; Consolidated: \$556.52; Britton Jewelers: \$105.00; Copy Xpress: \$15.00; PBGFS: \$731.24; Vanberkom Business Products: \$131.41; Xerox Corporation: \$308.44; Maximus Inc: \$10.00; ND Youth Correctional Center: \$4,205.55; ND Game & Fish Dept: \$257.03; Stark County Auditor: \$541.63; Fisher Sand & Gravel: \$790.83; Dickinson Parks & Rec: \$54.08; Chad's Automotive: \$305.80; T-Rex Conoco Inc: \$200.54; NDNA District 10: \$20.00; NDACO: \$270.00; Advanced Business Methods: \$595.36; Superior Cleaners: \$12.00; Dickinson Tire: \$322.00; Electronic Communications: \$282.00; Midas: \$191.92; Sax Motor Co: \$202.65; ND Dept of Transportation: \$6.50; Farmers Union Oil of Richardton: \$272.91; Todd Weiler: \$60.00; LEC Maintenance: \$6,786.60; American Bank Center: \$583.95; Best Western Doublewood Inn: \$110.00; Dickinson Press: \$48.00;

10 Mill: Alexander Fencing: \$2,606.25;

County Road: Payroll: \$236.61; Kadrmas, Lee & Jackson: \$7,607.60; Alternative Wrecking: \$1,250.00; B & B Sanitation: \$2,375.00; BG Excavation Inc: \$2,550.00; Edward H Schwartz: \$4,704.00; Lenny's Repair: \$250.00; Martin Construction: \$3,292.50; Onsite Improvement: \$5,202.50; Tooz Construction Inc: \$205.00; Alltel: \$87.63; City of Belfield: \$16.90; City of Dickinson: \$60.99; City of Richardton: \$62.10; MDU: \$1,773.95; Roughrider Electric: \$1,513.00; Southwest Water Authority: \$52.05; Consolidated: \$31.14; Qwest Corporation: \$54.78; Acme Electric Co: \$400.00; Arc Aid Thrift Store: \$22.15; Basin Hydraulic: \$227.08; Beall Corporation: \$2,508.36; Carquest Auto Parts: \$52.44; Dakota Filter Supply: \$107.12; Dickinson Supply: \$47.56; Farmers Union Oil South Heart: \$51.92; Fix It Shop: \$33.48; Praxair: \$59.80; Runnings Supply: \$461.15; SBM Inc: \$8.94; Southwest Grain: \$11,855.77; Western Fire & Safety: \$121.40; Walmart: \$25.94; Kohler Communications: \$117.35; Newby's Ace Hardware: \$3.16; Performance Truck: \$256.35; Sax Motor Co: \$187.44; Schmidt Repair: \$5,017.92; Wallwork Truck Center: \$291.21; Belfield Automotive: \$7.71; Butler Machinery: \$10,092.55; Dakota Farm Equipment: \$100.24; George's Tire Shop: \$96.00; Midwest Auto Glass: \$723.88; Sicard: \$1,360.14; Missouri Valley Petroleum: \$1,499.03; Tiger Discount: \$177.41; West Dakota Oil: \$1,836.42; Berger Electric: \$611.98; Berger Sanitation: \$180.00; JP Steel & Supply: \$154.10; Pump Systems Inc: \$379.15; Ray's Auto Electric: \$427.40; Powerplan-RDO: \$20.09; Rummel Auto Wrecking: \$19.80; BR31 US Bearings: \$44.66; Northern Improvement: \$3,088.09; Frontier Precision: \$225.00; Dickinson Press: \$82.50; ND Dept of Transportation: \$985.00;

Highway Tax Distribution: Payroll: \$68,187.84; NDPers: \$12,887.05; NDACO: \$595.00;

Special Road & Bridge: City of Belfield: \$218.64; City of Dickinson: \$10,548.30; City of Gladstone: \$44.85; City of Richardton: \$183.40; City of South Heart: \$108.74; City of Taylor: \$40.36;

Social Welfare: Payroll: \$156,736.68; Prairie Ridge Rentals: \$780.00; ND Dept of Human Services: \$7,087.32; Sunrise Youth Bureau: \$30.00; NDPers: \$32,697.21; Social Services: \$13,103.61;

County Poor: ND Dept of Human Services: \$22,019.76;

IT – Computer/Updates: Payroll: \$4,410.00; NDPers: \$1,015.38; American Bank Center: \$321.73; CDW Government Inc: \$150.15; Alltel: \$22.02; City of Dickinson: \$.07; Consolidated: \$164.59; Kohler Communications: \$45.00; SBM Inc: \$324.93; Visa: \$979.40; Information Technology Dept: \$1,183.15;

Capital Improvement: Strongform: \$13,284.38;

Fair Board: Stark County Fair Board: \$3,330.29;

County Jail: SWMCCC: \$34,374.82;

Comp Health: NDPers: \$15,574.49; Blue Cross Blue Shield: \$144.80;

VSO Fund: Payroll: \$5,784.26;

Social Security: American Bank Center: \$25,595.41;

Advertising: Dickinson Press: \$1,404.55; NDAOGPC: \$3,000.00;

County Agent: Payroll: \$4,205.66; NDPers: \$383.56; Select Inn of Fargo: \$98.00; Stark-Billings Co: \$60.50; Kurt Froelich: \$30.00; Sharon Kickertz-Gerbig: \$30.00; Consolidated: \$153.64; SBM Inc: \$145.07; Reliable Office Supplies: \$131.23; Sharon Kickertz-Gerbig: \$1,013.66; Walmart: \$30.00;

Weed Control: Payroll: \$5,062.03; NDPers: \$1,113.29; Alltel: \$21.87; ND Weed Control: \$200.00; Dickinson Press: \$36.00; US Postal Service: \$84.00; American Bank Center: \$130.05;

9-1-1: Payroll: \$5,979.51; NDPers: \$1,531.53; American Bank Center: \$424.26; City of Dickinson: \$6,842.92; ND APCO Association: \$80.00; Qwest: \$1,606.40; Consolidated: \$681.00; Reservation Telephone: \$80.00; NDACO: \$5,933.85; Frontier Precision: \$225.00;

Adult Education: Center for 4-H Youth Development: \$217.00; CMRS-PB: \$46.40; Dan's Supermarket: \$46.00; Golden Valley Co Ext: \$32.50; NDSU Dept 7060: \$1,680.00;

Domestic Violence: State Treasurer: \$245.00;

Homeland Security Grant: Dan's Supermarket: \$189.45; Mulligan's Catering: \$1,379.14;

Traf Safety Grant: Payroll: \$214.28;

Oil Impact: Payroll: \$285.70;

Security/Transfer DJS Reimb: Farmers union Oil: \$481.00; Tesoro Fleet Services: \$289.34;

SW Victim Witness Program: SBM Inc: \$24.42; Alltel: \$100.47; Consolidated: \$2.64; Payroll: \$3,489.96; American Bank Center: \$256.66; NDPers: \$572.96;

Domestic Violence Rape Crisis Center: Domestic Violence: \$604.50;

Preservation Fee: Cass County Treasurer: \$509.00; Underground Vaults: \$4.00;

State Reimbursements: Justin Fridrich: \$25.00; Greg Barros: \$50.00; Joe Cianni: \$50.00; Tom Grosz: \$25.00; Jason Rambousek: \$25.00;

Siren Contingency: Denny's Electric: \$626.13;

Other Reimbursements: Consolidated: \$178.33; ND Division of Community Service: \$17,489.03;

Judgment Execution: Lyle Gwin: \$2,120.47; Stark County Sheriff's Dept: \$110.40;

911 Equipment: Bullberry System: \$8,262.50; SBM Inc: \$279.96; Alltel: \$103.44;

Gary Kostelecky, Emergency Management, gave an update regarding the flood situation. The Bureau of Reclamation is releasing water so the Patterson Lake water level will drop three feet. Residents used approximately 10,000 sand bags and approximately 20,000 sand bags are still available.

Gary Kostelecky reported on the Snow Declaration. There is still eligible funding. The paperwork has been submitted for February for a total of \$194,600.00. Fema will reimburse up to fifty percent.

Gary Kostelecky reported he did not get the grant to purchase the Bookmobile. The Bookmobile has been returned to Cheryl Tollefson with the Dickinson Public Library.

Gary Kostelecky announced his retirement as of May 29, 2009. Comm Elkin made a motion to accept his letter of resignation. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried.

Sheriff Tuhy, presented a NDDOT seat belt grant for \$4,600.00. Comm. Zander moved to authorize the Chairman sign the grant. Comm. Elkin seconded. All voted Aye and the motion carried.

Sheriff Tuhy gave an update on the task force and monthly transports.

Al Heiser, Road Superintendent, reported Stark County will receive up to \$680,000 from the stimulus project. The anticipated amount was \$289,000. Al reported that at this point the county has only minor repairs from all the water.

The Commission extended their thanks to the road crew for all their extra help and for being pro-active toward the snow storms.

Comm. Hoff read the following two motions approved at the Zoning Board. First, to recommend granting Cole Buckman's and Alicia Hopkins request to change zoning from agricultural to residential/agricultural property located in NW4NW4 Section 21 Township 140 Range 99, containing 20.00 acres. Comm. Elkin made a motion to grant the zoning change. Comm. Kuntz seconded. Roll call vote. All voted Aye and the

motion carried. Second, to recommend granting Jan Kuhn's request to change zoning from agricultural to residential/agricultural property located on 10 acres on the south boundary line of Lot 7 of the Pines Subdivision NE4SE4 Section 33 Township 139 Range 96. Comm. Hoff made a motion to grant the zoning change. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Bid opening was held for gravel crushing and equipment rentals. Bids for equipment rental were received from Hlebechuk Construction, OnSite Improvements, Schwartz Construction and Butler Machinery. The bids will be available on file in the Auditor's Office. No bids were received for gravel crushing.

Rusty Tessier made a request to install two cattle guards. The installation of the cattle guards is more cost effective versus fencing. All road requirements will be met. Comm. Zander made a motion to authorize the installation of the two cattle guards. Comm. Elkin seconded. Roll call vote. All voted Aye and the motion carried.

Tim Kelly, Kadrmas, Lee & Jackson, gave an update on stimulus project for Highway 10 and the Box Culvert Projects.

Mike Maus, Attorney for Wm. Reiter, regarding a tax abatement for Lot 6 Block 4 Reiter's Subdivision, did not attend. Diane Brines, Tax Director, reported she received an email from the State Supervisor of Assessments stating that the guidelines for assessors says those types of tanks are considered real property, therefore they are taxable. Diane Brines recommended to deny the abatement. Comm. Kuntz made a motion to deny the abatement for Wm. Reiter. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried.

Leslie Ross, Veterans Service Officer, gave a report regarding the activities taking place in the Veterans Office since her employment began in July.

Bid opening was held for hayland. No bids were received.

Gaylon Baker, Stark Development Corporation, reported on the upcoming 2010 census. He discussed the importance of an accurate count for Stark County. He requested one elected official and one staff employee to represent the county at their, monthly committee meetings. The meetings are held the first Friday of every month at 8:00 am. Comm. Elkin volunteered to represent the county.

Kurt Froehlich, County Agent, requested representation from the commission in screening applicants for the position of Home Economist. Comm. Kuntz will represent the commission.

Clarence Hanel requested the county research a road easement given by George Stockert to Stark County in the NW4 Section 22 Township 139 Range 96. Comm. Hoff and Al Heiser, Road Superintendent, will research past documents and minutes.

Richard Jordan, RT Rentals, requested the value on his property be reduced. He purchased it for \$580,000 and it is being taxed at \$560,000. Diane Brines, Tax Director, recommended to deny the abatement. Comm. Zander made a motion to deny the abatement for Richard Jordan. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried.

Gary Kostelecky, Emergency Manager, requested placing Brent Pringle in the position as Interim Emergency Manager/9-1-1 Coordinator. Discussion was held regarding the options available for the hiring process. Tom Henning, States Attorney, stated we are an Equal Opportunity Employer, therefore the position should be advertised. Comm. Zander made a motion to advertise the position of Emergency Manager/9-1-1 Coordinator. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Kuntz reported the County Agent buildings boiler went down. Temp Rite quoted a circuit board for \$494.00 or a new boiler for \$8,000.00. Discussion was held to repair the boiler with a new circuit board.

The following **Miscellaneous Receipts** were filed: General: \$132,232.05; 10 Mill: \$14,289.41; County Road: \$77,355.43; Highway Tax Distribution: \$151,249.15; Special Road & Bridge: \$4,293.14; Social Services: \$109,784.09; County Poor: \$59,788.24; IT-Computer/Updates: \$742.12; Capital Improvement: \$12,868.73; County Park: \$2,259.52; County Jail: \$10,901.20; Insurance: \$21,535.14; Comp Health: \$5,955.68; Emergency Fund: \$1,431.05; VSO: \$1,894.03; Social Security: \$14,783.04; Advertising: \$736.57; County Agent: \$3,465.08; Weed Control: \$4,680.60; 911 Revenue: \$28,575.41; Adult Education: \$675.00; Asset Forfeiture: \$11,100.00; Fingerprint Station: \$96.00; Domestic Violence: \$315.00; Homeland Security Grant: \$1,568.59; Traf Safety Grant: \$680.71; Estimate Tax: \$7,981.49; Game and Fish: \$66.00; SW Victim Witness Program: \$5,474.08; Domestic Violence Rape Crisis Center: \$604.50; Preservation Fee: \$1,836.00; State Reimbursement: \$405.00; Other Reimbursements: \$182.37; Judgment Execution Revenue: \$2,230.87; 911 Equipment: \$9,525.10;

Comm. Zander moved to adjourn. Comm. Kuntz seconded.

Alice Schulz, Auditor

Duane A. Wolf, Chairman

Official Proceedings Special Meeting

**April 14, 2009
8:00 am**

Chairman Duane Wolf called the special meeting of the Stark County Board of Commissioners to order. All members present.

Sheriff Clarence Tuhy asked for permission to apply for a grant to hire four extra officers at 100% pay for a three year commitment with an additional one year commitment at full county expense. Sheriff Tuhy's staff now consists of twelve officers and three office staff. Comm Elkin made a motion to apply for two officers and maybe hire one. Comm Kuntz seconded. Roll call vote. Comm Kuntz Aye, Comm Elkin Aye, Comm Hoff Aye, Comm Zander Nay, Comm Wolf Aye. Motion carried.

Comm Zander made a motion to have the chairman sign the construction and maintenance agreement, right of way certification letter and utility letter for project STM-SC-4510(060) – Stark County CMC 4510 – from South Heart east. Bituminous overlay & incidentals – 4.871 miles. Comm Hoff seconded. Roll call vote. All voted Aye and the motion carried.

Comm Elkin moved to adjourn. Comm Kuntz seconded.

Alice Schulz, Auditor

Duane A. Wolf, Chairman